

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

OLAVO PIRES	:	
	:	
Plaintiff,	:	C.A. No.: 11-585-M
	:	
v.	:	
	:	
REGIONS BANK, D/B/A REGIONS MORTGAGE,	:	
ALIAS, MORTGAGE ELECTRONIC, ALIAS	:	
REGISTRATIONS SYSTEMS, INC.,	:	
REGIONS BANK, ALIAS AND JOHN DOE, INC.,	:	
	:	
Defendants.	:	
	:	

NOTICE OF FAILURE TO RE-FILE PER COURT ORDER

Defendant Regions Bank, d/b/a Regions Mortgage (“Regions Bank”) hereby notifies this Court that Plaintiff Olavo Pires has not re-filed his case by the deadline established by this Court’s Text Order dated May 23, 2013.

This Court entered an order dismissing this case on February 13, 2013 because Plaintiff failed to pay all the use and occupancy fees established by the Special Master as a condition of the stay and settlement process implemented in this case. On May 21, 2013, in connection with that dismissal, the Special Master recommended that the use and occupancy fees that Plaintiff had paid before he became delinquent be disbursed to Regions Bank. Plaintiff objected to that recommendation and indicated that he intended to re-file his complaint and pay the past due use and occupancy fees. This Court’s May 23, 2012 Text Order directed Plaintiff to re-file his complaint and pay the arrearage on his use and occupancy fees within 30 days. Thus, the deadline established by the Text Order was June 24, 2013.

As of today, Plaintiff has not re-filed his complaint, and Plaintiff has not paid any additional use and occupancy fees. Accordingly, Regions Bank respectfully requests that this

Court adopt the Special Master's recommendation and enter an order authorizing the Special Master to disburse the use and occupancy fees she is holding in escrow to Regions Bank.

Respectfully submitted,
Regions Bank, d/b/a Regions Mortgage,
By its Attorneys,

/s/ Adam M. Ramos
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Dated: July 2, 2013

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CERTIFICATION

To:

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I hereby certify that on July 2, 2013, a copy of the foregoing Notice was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Adam M. Ramos